

REMARKS/ARGUMENTS

Please cancel claims 1, 2, 6, 7, 8, 12, 13, 14, and 16 without prejudice.

The Office objects to the drawings with the assertion that the following claimed features are not shown:

the "cushion" covering the lip, the outer panel surface, and further at least a portion of the lower platform surface and at least a portion of the inner panel surface of claim 3;

the "cushion" being bonded to at least a portion of the frame of claim 4;

the insert being attached to the frame so as to secure at least an edge of the cushion of claim 5; and

the cushioned cover bonded to the upper platform surface of claim 15.

The Office additionally asserts that even if the "cushion" recited in claim 3 were interpreted as a "cushion cover", the recitation that the cushion cover covers "the upper platform surface" would still not be shown in the drawing figures.

Claims 3-5 are also rejected under 35 U.S.C 112, second paragraph, as indefinite for "...apparently [not] claim[ing] the invention as disclosed in the specification and clearly shown in the drawings."

Claims 3, 4, 5, and 15 have been amended to claim a shell covering at least portions of the lip, the upper platform surface, and the outer panel surface. Line 3 of paragraph [0029] through line 5 of paragraph [0030] of the detailed description disclose that "the cushioned cover 240 comprises a laminate of fabric and foam. On the exterior of the cushioned cover 240 a shell 243 comprises fabric such as nylon, LYCRA, polyester, polypropylene, or other fabrics known in the art laminated to a layer of rubber or foam less than 1 mm thick. On the finished arm support, the fabric side of the shell 243 faces outward. The shell 243 is cut to a shape suitable for covering the upper portions and edges of the frame 210...[0030] A layer of 1 mm memory foam 242 is bonded to the

interior portions of the rubber or foam side of the shell **243**, leaving margins (not shown) around the edges of the cushioned cover **240** where only the shell **243** laminate is present."

Original Fig. 2 shows the shell **243** as a thick black line clamped between the insert **220** and frame platform **211**, passing around the lip **120**, covering the frame platform **211** and the frame support panel **214**, passing around the lower edge **218** of the frame support panel **214** to be clamped between the insert **220** and the frame support panel **214**. In view of the fact that the shell is a laminate of a cover material such as soft fabric and a cushioning material such as foam or rubber, and might in some embodiments be utilized without memory foam **242** or a platform cushion **244**, Applicant believes that the shell could be accurately described as a cushion or cushioned cover.

For clarity, Applicant submits herewith a replacement drawing sheet that shows the black line of shell **243** expanded into its component layers of cover material such as fabric **245** and cushioned material such as rubber or foam **246**, both distinguished from a layer of memory foam **242**. Reference numerals **245** and **246** have been added and the memory foam **242** layer distinguished by a different fill pattern. The locations of some reference numerals have been changed. Additionally, Applicant has amended paragraph [0029] of the specification to include reference numerals **245** and **246**, and claims 4 and 15 to claim that the shell is attached rather than bonded to the frame. Care has been taken to avoid entry of new matter.

The Office objects to informalities in the use of trademarks and acronyms in paragraphs [0029] and [0037] of the specification. Applicant has made required corrections in these paragraphs, and additional corrections in paragraphs [0011] and [0022].

Application No. 10/622,706
Amendment dated 07/26/2004
Reply to Office action of 04/26/2004

The Office objected to informalities in the substitution of "a" for "the" in parts of claims 6 and 9. Claim 6 has been cancelled, and currently amended claim 9 has been corrected as required.

The Office objects to claims 3-5 and 9-11 as being dependent upon a rejected base claim, but considers each claim allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 3 has been amended to include the limitations of cancelled claims 1 and 2. Claims 4 and 5 depend from claim 3. Claim 9 depends from claim 5. Claims 10 and 11 depend from claim 9. As claim 3 has be rewritten in allowable form and all remaining claims depend directly or indirectly from claim 3, Applicant respectfully requests allowance of claims 3-5 and 9-11. The Office has allowed claim 15. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



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Attachments

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